

ORDINANCE NO. DRAFT

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO MODIFY TITLE 10, CHAPTER 48 RELATED TO PARKING REQUIREMENTS FOR AUTOMOTIVE SERVICE AND REPAIR AND TITLE 10, CHAPTER 20, SECTION 120 TO COMBINE AUTOMOTIVE SERVICE AND REPAIR (MAJOR) AND AUTOMOTIVE SERVICE AND REPAIR (MINOR) INTO A SINGLE DESIGNATION, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth-class city of the state of Utah; and

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council adopted Ordinance 08-02-2022 on August 9, 2022 combining the definitions of "Automotive Services and Repair, Major and Automotive Services and Repair, Minor" into a single land use designation (definition); and

WHEREAS, the City Council desires to amend Santaquin City Code Title 10, Chapter 20, Section 120 (C) Permitted Uses (table) to be consistent with the single land use designation of "Automotive Service and Repair" adopted by Ordinance 08-02-2022; and

WHEREAS, the City Council desires to amend sections of Santaquin City Code Title 10, Chapter 48, to clarify parking standards specific to "Automotive Service and Repair"; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on November 22, 2022, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 10, Chapter 20, Section 120 is amended as follows: (underlined text is added, stricken text is deleted)

- C. Permitted Uses: General land uses within commercial zones shall complement the city's general plan for their respective areas. Those uses allowed in the city's commercial zones are listed in the following matrix. Abbreviations and alphabetic use designations in the matrix have the following meanings:

P	The listed use is a permitted use within the represented area, based on city development standards and ordinances.
C	The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.
A	The listed use is only permitted as an accessory use within the represented area.
N	The listed use is a prohibited use within the represented area.

Use	C-1	PO
Automotive service and repair, major	C P	N
Automotive service and repair, minor	P	N

(Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014; amd. Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

Title 10, Chapter 48, Section 040 is amended as follows: (underlined text is added, stricken text is deleted)

10.48.040 NUMBER OF PARKING SPACES REQUIRED

1. Rules For Computing Required Off Street Parking Spaces: For the purpose of computing required off street parking spaces which are required by this title, the following rules shall apply:
 1. "Floor area" shall mean gross floor area, unless otherwise specified for a particular use.
 2. In stadiums, sports arenas, churches, and other places of assembly in which benches or pews are used in place of seats, each eighteen inches (18") of length of such benches or pews shall be counted as one seat. Any remaining length of any one bench or pew shall be considered to be a whole seat. (Ord. 12-01-2006, 12-6-2006)

2. Minimum Requirements: The number of off street spaces required below for each land use is established as minimum requirements:

Use	Parking Required
Residential:	
Assisted living center, nursing home, convalescent home, or other similar use	1 visitor parking space per 3 patients' beds, plus 1 parking space for each employee at work during the largest shift
Attached single-family units ¹	2 parking spaces per unit. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces
Bed and breakfast facility	1 parking space for each bedroom and 1 space for each employee at work during the largest shift
Duplex	2 parking spaces per unit
Mixed use development with residential dwellings ¹	2 parking spaces per unit. Additional parking is required per nonresidential uses as provided below. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces
Multiple-unit dwelling (apartments) ¹	2 parking spaces per unit. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces
Single-family as part of a PUD	2 car garage per unit
Retail commercial:	

Ancillary commercial	2 spaces per 1,000 sq. ft.
Automotive service and repair (major)	4 5 spaces per 1,000 sq. ft. plus 2 stalls per major service bay for the temporary storage of customer vehicles.
Automotive service and repair, minor	2 spaces per 1,000 sq. ft.
Automotive service station	5 spaces per 1,000 sq. ft.
Convenience commercial	5 spaces per 1,000 sq. ft.
Heavy commercial	5 spaces per 1,000 sq. ft.
Retail sales and services	5 spaces per 1,000 sq. ft.
Commercial services, offices:	
Commercial recreation	1 parking space per 2 patrons, based on the design capacity of the facility
Hotels and motels	1 parking space per room or suite, plus 1 parking space for each employee at work during the largest shift
Medical clinics or offices, includes dentists and other healing art facilities	6 parking spaces per staff doctor, plus 1 parking space for each employee on the property during the largest shift
Mortuaries and funeral parlors	30 parking spaces or 1 space for each 25 sq. ft. of combined floor space in all assembly rooms, whichever is greater, plus 1 space for each employee typically at work during normal facility function
Professional office or financial services	1 parking space per 200 sq. ft. of floor area in the building minus storage and bathroom areas

Industrial:		
	Business/research park	1 space per 1,000 sq. ft. of floor area or 1 space per 2 employees at work during the largest shift with Planning Commission approval
	Industrial, heavy	1 space per 1,000 sq. ft. of floor area
	Industrial, light	1 space per 1,000 sq. ft. of floor area
	Storage unit facility	1 space per site employee/manager on duty and 3 spaces per 50 units with a maximum of 8 spaces required. See also storage unit facility standards below ²
Restaurants:		
	Drive-in restaurants	1 space per 4 seats including outdoor seating or 1 space per 125 sq. ft. of gross floor area, whichever is greater
	Restaurants	1 space per 4 seats, including outdoor seating
Public:		
	Churches	1 parking space per 4 seating spaces in the main assembly room based on the design capacity of the structure
	Hospitals	1 visitor parking space per 3 patients' beds, plus 1 parking space for each employee at work during the largest shift
	Places of assembly (e.g., theaters, auditoriums, sports arenas, etc.)	1 parking space per 4 seating spaces
	Private clubs or lodges	1 parking space per 2 persons based on the design capacity of the facility
	Schools - commercial, vocational	1 space per teacher and staff member plus 1 space for every 5 students based on design capacity

Schools - public, private or quasi-public	Parking spaces required for public schools shall be determined by the Nebo or Juab School Districts, or the State of Utah as applicable. Private schools shall utilize similar standards as applied to public schools
Special review:	
Automotive equipment sales or rental Impound yards Uses not mentioned	The required off street parking for any use not listed above shall be determined by the Planning Commission. The Planning Commission shall make the determination based on similar uses listed above, nature and impact of the use on public streets and adjoining properties, and typical customer and employee needs

Notes:

¹ Additional guest parking shall be provided as follows: The first 5 residential units ($1 \leq \text{units} \leq 5$) in a development require 1 parking space per residential unit. The next 5 residential units ($5 < \text{units} \leq 10$) in a development require 0.75 parking space per residential unit. The next 5 residential units ($10 < \text{units} \leq 15$) in a development require 0.50 parking space per residential unit. Residential units above 15 ($\text{units} > 15$) in a development require 0.25 parking space per residential unit. (Fractional spaces shall require a whole space.)

² Businesses with warehouse and storage areas may utilize a 0.5 space per 1,000 square feet of storage area when determining required number of stalls.

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such

inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on **Wednesday, ?, 2022**. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED **this ?th day of ?, 2022**

Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	___
Councilmember Elizabeth Montoya	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jeff Siddoway	Voted	___
Councilmember David Hathaway	Voted	___

ATTEST:

Amalie R. Ottley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the ?th day of ?, 2022, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO MODIFY TITLE 10, CHAPTER 48 RELATED TO PARKING REQUIREMENTS FOR AUTOMOTIVE SERVICE AND REPAIR AND TITLE 10, CHAPTER 20, SECTION 120 TO COMBINE AUTOMOTIVE SERVICE AND REPAIR (MAJOR) AND AUTOMOTIVE SERVICE AND REPAIR (MINOR) INTO A SINGLE DESIGNATION, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this ?th day of ?, 2022.

Amalie R. Ottley
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Amalie R. Ottley, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the ?th day of ?, 2022.

The three places are as follows:

1. Zions Bank
2. Post Office
3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

Amalie R. Ottley
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____.

Notary Public